

February 23, 2010

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:00 p.m., February 23, 2010.

Members present: Mayor W. D. Tharp; Councilwoman Mary L. Flood; Councilman Steve C. Rush; Councilman C. G. Stanley, Jr.; Councilman James A. Vest; and Vice Mayor Robert T. Wandrei

Members absent: Councilman Jeffrey B. Hubbard

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Tharp opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Tharp declared that the minutes of a regular Council meeting held on January 26, 2010, were approved as distributed.

City Manager Kolakowski reported on the following:

- The difficult winter due to the snow – thanked everyone for having patience with the City in its efforts to keep the roads clear; also thanked the City employees for the job they are doing in keeping the City open and functioning.
- The staff is working on the budget on a daily basis and is monitoring what the State is proposing, which will have a larger than normal effect on the City's operations directly and indirectly. Most of the significant cuts and reductions will impact K-12 education, which is an important function of local government.

Councilman Vest, Chairman of the Finance Committee, reported that the Committee met earlier in the evening to review the last month's budget and continues to monitor the deteriorating situation.

Mayor Tharp also thanked the Public Works Department employees for their work in keeping the roads clear. The Mayor asked the City Manager to pass along thanks from Council to those employees.

Mayor Tharp stated the agenda item "Closed Session pursuant to Section 2.2-3711(a)(1) of the Code of Virginia of 1950, as amended, for discussion of personnel matters" was removed from the agenda.

The City Manager stated that Sara Bratton, representing the Bower Center, was present to give a report on the activities of the Center.

Ms. Bratton thanked Council for its assistance with a Local Challenge Grant. She stated the City gave its assistance with the understanding that the Center would use part of those funds to do some free public concerts. Ms. Bratton reviewed the activities that have been held and will be held at the Center.

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Ms. Mickey VanDerwerker, School Board, gave a report regarding the Bedford County School Board Superintendent's 2010-11 Budget Recommendations, which includes: changing class sizes; reductions in teaching positions and support positions; school/program consolidations; and other items.

The City Manager read aloud the following Public Hearing Notice:

PUBLIC HEARING NOTICE
(Sale and Conveyance of City Tax Parcel 214-3-2A)

The City Council of the City of Bedford, Virginia, on Tuesday, February 23, 2010 at 7:00 P.M. at the City Council Chambers, Municipal Building, 215 East Main Street, Bedford, Virginia 24523, will hold a public hearing pursuant to Virginia Code Section 15.2-1800 concerning the sale and conveyance of certain real estate to Frankie R. Latimer for a price of \$1,000.00. The real estate consists of a small lot bounded on the west by real estate of Frankie Latimer which fronts on South Bridge Street and bounded on the east by the City of Bedford parking lot.

Interested parties may appear at such time and place and present their views.

By the Authority of
The City Council of the
City of Bedford
Teresa Hatcher, Clerk

Mayor Tharp opened the public hearing at 7:26 p.m.

As there were no comments, the Mayor closed the public hearing at 7:26 p.m.

The Consent Agenda consisted of the following item: Reappointment of Ms. Lonne Bailey to serve a four-year term on the Planning Commission, said term to expire March 31, 2014.

On motion by Councilman Vest, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council adopted the Consent Agenda. Roll call vote follows:

Councilwoman Flood	aye
Councilman Hubbard	absent
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Mayor Tharp	aye

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City Manager Kolakowski stated there were no comments from the public on the sale of property on the north side of Washington Street to Ms. Frankie R. Latimer and City Staff recommends the sale. The City Manager stated that Council was requested to pass the proposed Ordinance accepting Ms. Latimer's offer to purchase the small lot for a price of \$1,000 subject to the requirement that it be made a part and parcel of her adjoining property.

On motion by Councilman Stanley, seconded by Vice Mayor Wandrei, voted upon and carried by a roll call vote, Council adopted the proposed Ordinance accepting Ms. Latimer's offer to purchase the small lot for a price of \$1,000 subject to the requirement that it be made a part and parcel of her adjoining property. Roll call vote follows:

Councilman Hubbard	absent
Councilman Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Vice Mayor Wandrei	aye
Councilwoman Flood	aye
Mayor Tharp	aye

The Ordinance follows as adopted:

ORDINANCE NO. 10-1

AN ORDINANCE AUTHORIZING THE SALE AND CONVEYANCE TO FRANKIE R. LATIMER OF A SMALL LOT BETWEEN PROPERTY OWNED BY HER AT 115 SOUTH BRIDGE STREET AND THE PARKING LOT OWNED BY THE CITY ON THE NORTH SIDE OF WASHINGTON STREET

WHEREAS, the Town of Bedford, Virginia, in 1965 acquired a large tract of land lying on the north side of Washington Street which was owned by Overstreet-Smith Lumber Company, Inc.; and

WHEREAS, in 1969 the City of Bedford conveyed a small lot which was part of the former Overstreet-Smith land to John N. Byrne, Jr., who owned an adjoining parcel; and

WHEREAS, there is a small lot to the south of the lot conveyed to Byrne which lies between the City's paved parking lot and property owned by Frankie R. Latimer; and

WHEREAS, Frankie R. Latimer has offered to purchase the small lot from the City for a price of \$1,000 and to combine it with her adjoining property; and

WHEREAS, the City Council, pursuant to the statutes made and provided for approval of conveyances of real estate, has held a public hearing on February 23, 2010,

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after public notice of such hearing was advertised once in the Bedford Bulletin on February 10, 2010, which pursuant to the requirements of said statute was at least 7 days prior to the public hearing.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

Section 1. The City Council approves the sale of the hereinafter described real estate to Frankie R. Latimer for a price of \$1,000, the real estate being more particularly described as follows, to-wit:

All of that parcel of land presently designated on the City of Bedford tax maps as Tax Parcel No. 214-3-2, bounded on the south by property of Anna M. Latimer and others (Tax Parcel No. 214-A-5), on the west by other property of Frankie R. Latimer (Tax Parcel No. 214-A-4), on the north by a small lot owned by John H. Byrne (Tax Parcel No. 214-3-2A), and on the east by a line drawn through the City of Bedford Washington Street property from the southeast corner of the said John H. Byrne lot to the northeast corner of the said Anna M. Latimer lot.

It being that part of the real estate conveyed to the Town of Bedford by deed of Overstreet-Smith Lumber Company, Inc. dated December 28, 1965 and recorded in the Clerk's Office of the Circuit Court of Bedford County in Deed Book 330, at page 526, which is designated Parcel J on the plat of survey entitled "Survey of Lots to be Conveyed by Overstreet-Smith Lumber Company, Inc.," dated December 21, 1965, and recorded in Plat Book 11, at page 64, LESS and EXCEPT a lot conveyed by the City of Bedford to John H. Byrne, Jr., dated February 12, 1969 and recorded in Deed Book 351, at page 522, and as shown on a plat entitled "Town of Bedford Sketch Showing Property Located in the Town of Bedford to be conveyed to John H. Byrne by the Town of Bedford," recorded in Plat Book 11, at page 262.

Section 2. The property shall be conveyed to Frankie R. Latimer subject to the condition that the parcel shall be combined with the adjoining property owned by Frankie R. Latimer, and the Mayor and the City Clerk are hereby authorized to execute a deed in form approved by the City Attorney conveying the real estate with special warranty, and the Mayor is hereby authorize to deliver the deed to Frankie R. Latimer upon payment of the consideration to the City.

Section 3. This ordinance shall be in effect immediately upon passage.

Mayor Tharp adjourned the meeting at 7:29 p.m.